

2003**Underpayment of Estimated Tax by
Farmers and Fishermen****5805F****Attach this form to the back of your Form 540, Long Form 540NR, or Form 541, even if you do not owe a penalty.**

Name(s) as shown on return

Your social security number

Part I Figure Your Underpayment

- 1 2003 tax after credits from Form 540, line 34; Long Form 540NR, line 43; or Form 541, line 25 1 _____
- 2 2003 tax on lump-sum distributions from Form 540, line 23; Long Form 540NR, line 26; or
Form 541, line 21b 2 _____
- 3 2003 child and dependent care expenses credit from Form 540, line 45 or
Long Form 540NR, line 54 3 _____
- 4 Add line 2 and line 3 4 _____
- 5 Subtract line 4 from line 1 5 _____
- 6 Multiply line 5 by 66 $\frac{2}{3}$ % (.6667) 6 _____
- 7 2003 withholding taxes from Form 540, line 38, line 40, and line 41; Long Form 540NR, line 47, line 48, and line 50;
or Form 541, line 28 and line 30 7 _____
- 8 Subtract line 7 from line 5. If less than \$200 (\$100 if married filing separately), **STOP**. You do not owe a penalty 8 _____
- 9 2002 tax after credits from Form 540, line 34; Long Form 540NR, line 43; or Form 541, line 25.
(If you did not file a return for 2002 or if your 2002 tax year was less than 12 months, do not complete
line 9 through line 11. Instead, enter the amount from line 6 on line 12.) 9 _____
- 10 a 2002 tax on lump-sum distributions from Form 540, line 23; Long Form 540NR, line 26;
or Form 541, line 21b 10a _____
- b 2002 child and dependent care credit expenses from Form 540, line 45 or
Long Form 540NR, line 54 10b _____
- c Add line 10a and line 10b 10c _____
- 11 Subtract line 10c from line 9. If less than \$200 (\$100 if married filing separately), **STOP**.
You do not owe a penalty 11 _____
- 12 Enter the smaller of line 6 or line 11 12 _____
- 13 2003 withholding taxes and estimated tax payments made on or before January 15, 2004, from Form 540, line 38,
line 39, line 40, and line 41; Long Form 540NR, line 47, line 48, line 49, and line 50; or Form 541, line 28, line 30,
and line 31 13 _____
- 14 Underpayment. Subtract line 13 from line 12. If zero or less, you do not owe a penalty. Be sure to fill in the circle
on Form 540, line 68; Long Form 540NR, line 77; or Form 541, line 41 14 _____

Part II Figure Your Penalty

- 15 Enter the date the amount on line 14 was paid or April 15, 2004, whichever is earlier 15 _____
- 16 Number of days after January 15, 2004, to and including the date on line 15 16 _____
Note: If you are a calendar year taxpayer and made no estimate payment, enter 91 days.
- 17 Penalty: $\frac{\text{Number of days on line 16}}{366} \times .05 \times \text{underpayment on line 14}$. Enter the result here. If you are requesting a
waiver, go to line 18. Otherwise, enter this amount on Form 540, line 68; Long Form 540NR, line 77; or Form 541, line 41.
Also fill in the circle on that line to show that form FTB 5805F is attached to the return 17 _____
- 18 To request a waiver, check the box on this line and provide an explanation below. Be sure to fill in the circle on Form 540,
line 68; Long Form 540NR, line 77; or Form 541, line 41. See General Information E 18 ☐ _____

Instructions for Form 5805F

Underpayment of Estimated Tax by Farmers and Fishermen

What's New

In general, California law conforms to the Internal Revenue Code (IRC) as of January 1, 2001. However, there are continuing differences between California and federal law. It should be noted that California does not always conform to the entire provisions of a public law. California has conformed to some of the changes made to the IRC after January 1, 2001, including some provisions of the Economic Growth and Tax Relief Reconciliation Act of 2001 (Public Law 107-16), the Victims of Terrorism Tax Relief Act of 2001 (Public Law 107-134), and the Job Creation and Worker Assistance Act of 2002 (Public Law 107-147). California has not conformed to any of the provisions of the Jobs and Growth Tax Relief Reconciliation Act of 2003 (Public Law 108-27) and the Military Family Tax Relief Act of 2003 (Public Law 108-121).

Form FTB 5805F should be attached to the **back** of your tax return. Due to a change in our processing procedures please do NOT attach the form FTB 5805 to the front of your return.

General Information

For taxable years beginning on or after January 1, 2002, (Ch. 01-920), California changed the method used to calculate loss carryovers, deferred deductions, and deferred income for nonresident and part-year resident taxpayers. This law changed the tax computation to recognize those items, and established a new method of determining percentages for computing tax for all nonresidents and part-year residents. California changed the nonresident tax forms (Long and Short Form 540NR) to more clearly show that nonresidents are taxed by California only on their California taxable income. For further information see FTB Pub. 1100, Guidelines for Nonresidents and Individuals Who Change Residency.

A Purpose

Use Part I of form FTB 5805F to determine if you, as a farmer or fisherman, paid the required amount of estimated tax. Use Part II to compute your estimate penalty if you did not pay enough estimated tax.

B Qualifications

You are a farmer or fisherman when at least two-thirds of your 2002 or 2003 gross income is from farming or fishing. If you need help determining your gross income, get Federal Publication 505, Tax Withholding and Estimated Tax.

If you determine that you are not a farmer or fisherman, do not use this form. Instead, use form FTB 5805, Underpayment of Estimated Tax by Individuals and Fiduciaries, to determine if you owe an estimate penalty.

C Required Estimate Payment

If you are a farmer or fisherman, you are required to make an estimated tax payment of 66²/₃% of your 2003 tax or 100% of your 2002 tax, whichever is less. If you are a calendar year taxpayer, your payment is due January 15, 2004. If you are a fiscal year taxpayer, your payment is due the 15th day of the 1st month after the close of your taxable year.

D Exceptions to the Penalty

You do not owe a penalty for 2003 if:

1. You file your 2003 tax return and pay the full amount of tax due by March 1, 2004; or
2. The tax for 2002, after credits (Form 540, line 34 less the tax on lump-sum distributions included on line 23 and child and dependent care expenses credit on line 45 and less line 38 and line 41; Long Form 540NR, line 43 less the tax on lump-sum distributions included on line 26 and child and dependent care expenses credit on line 54 and less line 47, line 48, and line 50; or Form 541, line 25, less the tax on lump-sum distributions included on line 21b and less line 28), was less than \$200 (\$100 if married filing a separate return); or
3. The tax for 2003 (from line 8) is less than \$200 (\$100 if married filing a separate return); or
4. You had no tax liability for 2002 and your 2002 tax return was for a full 12 months (or would have been if you were required to file). You need not have had income in each month.

E Waiver of the Penalty

All or part of the penalty for underpayment may be waived if:

- You underpaid the estimated tax because of a casualty, disaster, or other unusual circumstance and it would be inequitable to impose the penalty; or
- In 2002 or 2003, you retired after age 62 or became disabled and your underpayment was due to reasonable cause.

To request a waiver you must:

- Complete form FTB 5805F through line 17 without regard to the waiver. Write the amount you want waived in parentheses on the dotted line next to line 18. Subtract this amount from the total penalty you figured without regard to the waiver, and enter the result on line 18;
- Check the box on line 18;
- Below line 18, explain why you are requesting a waiver of the estimate penalty. If you need more space, attach a statement; and
- Enter the amount, if any, from line 18 on Form 540, line 68; Long Form 540NR, line 77; or Form 541, line 41 and fill in the circle on that line.

F Amended Returns

If you file an amended return by the due date of your original return, use the amounts shown on your amended return to figure your underpayment. If you file an amended return after the due date of your original return, use the amounts shown on the original return.

Exception: If you and your spouse file a joint return after the due date to replace separate returns you originally filed by the due date, use the amounts shown on the joint return to figure your underpayment. This rule applies only if both original separate returns were filed on time.

Important: Even if you do not owe a penalty, you should:

- Attach this form to the back of your Form 540, Long Form 540NR, or Form 541; **and**
- Fill in the circle on Form 540, line 68; Long Form 540NR, line 77; or Form 541, line 41 if you are a farmer or a fisherman. This helps the Franchise Tax Board identify you as a farmer or fisherman and correctly process your tax return.